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for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

SIPA LIQUIDATION

v.

(Substantively Consolidated)

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-04527 (SMB)

v.

Plaintiff,

JUDY L. KAUFMAN, NEAL S. KAUFMAN, and  
LISA D. KAVA,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF ADVERSARY PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Judy L. Kaufman, Neal S. Kaufman, and Lisa D. Kava (“Defendants” and together with the Trustee, the “Parties”), by and through their counsel, Sullivan & Cromwell LLP, hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed the Complaint against, among others, the Defendants.
2. On May 1, 2014, Defendants served an answer on the Trustee.
3. On April 13, 2017, the Parties entered into a confidential settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181] (the “Settlement Agreement”).
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal of all claims against Defendants in the above-captioned adversary proceeding without prejudice to the right of the Trustee to move *ex parte* to re-open this adversary proceeding in the event of an uncured default pursuant to the terms of the Settlement Agreement.
5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.
6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the

same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: April 24, 2017

**BAKER & HOSTETLER LLP**

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Liquidation of Bernard L. Madoff Investment  
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*Attorneys for Defendants*

**SO ORDERED**

Dated: April 24, 2017  
New York, New York

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE